

Docket. No.: 250507US-2 DIV  
Inventor: Yoshiki IGARASHI, et al.

REMARKS

Favorable consideration of this application is respectfully requested.

Claims 18-44 are pending in this application. Claims 1-17 have been canceled without prejudice or disclaimer. New Claims 18-44 have been added without the introduction of any new matter.

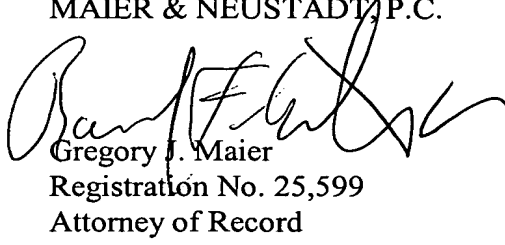
The outstanding Office Action in the parent application sets forth a rejection of the method claims presented therein over Liu et al. (U.S. Patent No. 6,451,703) or Hung et al. (U.S. Patent No. 6,387,287) that ignored many claim limitations that were asserted to be apparatus limitations not to be given weight in method claims. The pending Claims (18-44) are all now apparatus claims and apparatus limitations cannot be ignored, in particular the requirement for different high frequencies to be applied to the upper and lower electrodes cannot be ignored, any more than the requirement for an etching gas consisting (a closed claim term) only of C<sub>4</sub>F<sub>6</sub> gas and O<sub>2</sub> gas can be ignored in independent Claims 27 and 36.

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In light of the above, an early and favorable examination on the merits and favorable examination on the merits as to presently active Claims 18-41 is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Gregory J. Maier", is written over the printed name and registration information.

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